

D1  
curr

recording medium in a recording region that avoids the recording region in which said second data has been recorded.

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D2

9. (Twice Amended) A recording/reproducing apparatus for recording input data in a recording medium capable of non linear access, and reproducing and outputting the recorded data, comprising:

recording means for recording first data in said recording medium;

input means for designating a start point and an end point of desired second data, wherein said second data is a subset of said first data to be recorded or already recorded in said recording medium by said recording means;

F1

control means, for controlling said recording means so as to endlessly-record and overwrite a non-designated portion of said first data in said recording medium excluding said second data, such that data is endlessly recorded in a region of said recording medium that avoids the region of said recording medium in which said second data has been recorded; and

reproducing means for reproducing and outputting said first data recorded in said recording medium.

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D3  
curr

16. (Amended) A recording method for recording input first data in a recording medium capable of non linear access, comprising:

endlessly-recording said first data in said recording medium and designating a start point and/or end point of desired second data, wherein said second data is a subset of said first data to be recorded or already recorded in said recording medium; and

*D3*  
*and*

endlessly-recording and overwriting a non-designated portion of said first data in said recording medium that excludes said designated second data by recording said data in a region of said recording medium that does not include a recording region in which said second data corresponding to said start point and/or end point out of said first data has been recorded.

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*D4*

23. (Amended) A recording/reproducing method for recording input data in a recording medium capable of non linear access, and reproducing and outputting the recorded data, comprising the steps of:

*F1*

endlessly-recording input data in said recording medium, and designating a start point and/or end point of desired second data, wherein said second data is a subset of first data to be recorded or already recorded in said recording medium;

endlessly-recording and overwriting a non-designated portion of said first data in said recording medium by recording said data in a region of said recording medium that does not include a recording region of said recording medium in which second data corresponding to said start point and/or end point out of said first data has been recorded; and

reproducing and outputting said first data recorded in said recording medium.

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#### REMARKS

The present amendment and remarks are in response to the Final Office Action entered in the above-identified case and mailed on September 26, 2002. Claims 1-32 are pending in the application. Claims 1-2, 9-14, 16-21 and 23-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,737,481 to Gushima et al. Claims 8, 15, 22, and 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gushima et al. in view of U.S. Patent No. 5,940,241 to Sasakura and further in view of U.S. Patent No. 5,949,953 to Shirakawa